

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/612,113	KALINOWSKI, PAUL W.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Michael I Poe	1732	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the original application filed on July 2, 2003.
2. ☒ The allowed claim(s) is/are 12-15 (renumbered 1-4, respectively).
3. ☒ The drawings filed on 02 July 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

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|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                  |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>20040130</u> . |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>20030702</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                               | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                         |
|  | 9. <input type="checkbox"/> Other _____.   |

## EXAMINER'S AMENDMENT

### *Election/Restrictions*

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 12-15, drawn to a fixture for use in thermally curing a bonded abrasive grinding wheel, classified in class 425, subclass 403.
- II. Claims 16-19, drawn to a method of forming an abrasive grinding wheel, classified in class 264, subclass 112.

2. The inventions are distinct, each from the other because of the following reasons:

Inventions of Group II and Group I are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case, the method as claimed can be practiced by another materially different apparatus such as an apparatus which does not provide mechanically neutral support.

3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

4. During a telephone conversation with applicant's attorney Mary Porter on January 22, 2004, a provisional election was made without traverse to prosecute the invention of Group I, claims 12-15. Claims 16-19 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention. As noted below, the applicant's attorney agreed to cancellation of the non-elected claims without prejudice on January 30, 2004 to expedite the allowance of the elected claims.

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**Authorization**

5. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with applicant's attorney Mary Porter on January 30, 2004.

**Amendments**

6. The application has been amended as follows:

The specification has been amended as follows:

In the reference to related applications on page 1, line 5, -- , now abandoned -- has been inserted after "1997".

Claim 12 has been replaced by the following:

12. (Amended) A fixture for use in thermally curing a bonded abrasive grinding wheel outside of a mold used for molding the wheel, the wheel having a substantially cylindrical peripheral surface and being fabricated from a polymeric matrix and abrasive grain, the fixture comprising:

a wall portion of predetermined size and shape adapted for mechanically neutral supportive engagement with a surface of the wheel; the wall portion being adapted to maintain said supportive engagement during exposure to a range of temperatures of about 60 to 300<sup>o</sup> C utilized for thermal curing of the wheel; and the wall portion being fabricated from a polymeric material being elastically deformable to facilitate the supportive engagement;

wherein the wall portion of the fixture is adapted to engage an interior surface of the wheel without engaging an exterior surface of the wheel.

Claims 16-19 have been canceled without prejudice as being drawn to a non-elected invention.

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***Examiner's Statement(s) of Reasons for Allowance***

7. The following is an examiner's statement of reasons for allowance:

- (1) The prior art of record does not teach or suggest the claimed fixture for use in thermally curing a bonded abrasive grinding wheel outside of a mold used for molding the wheel, as a whole, especially including a wall portion adapted to engage an interior surface of the wheel without engaging an exterior surface of the wall to provide mechanically neutral supportive engagement (i.e., as defined on page 6, lines 18-23) of the wheel during exposure to the temperatures utilized for thermal curing.
- (2) Although the process of U.S. Patent No. 4,588,420 (Charvat) in view of U.S. Patent No. 5,645,783 (Ansari et al.) would suggest providing mechanically neutral support of a grinding wheel using an elastomeric mold liner wherein the mold liner engages the interior surface of the grinding wheel, Charvat in view of Ansari et al. would further suggest that it was also necessary to simultaneously engage and support the exterior surface of the grinding wheel to provide mechanically neutral support. There is no teaching or suggestion in the prior art that a grinding wheel can effectively be mechanically neutrally supported by solely engaging the interior of the wheel as claimed in the claims as amended above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael I. Poe whose telephone number is (571) 272-1207. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Colaianne can be reached on (571) 272-1196. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-1700.



Michael Poe/mip



**MICHAEL COLAIANNI**  
**PRIMARY EXAMINER**